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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,171	11/25/2003	Anthony R. Bonaccio	BUR920030129US1	1170
30449	7590	12/21/2004	EXAMINER	
SCHMEISER, OLSEN + WATTS SUITE 201 3 LEAR JET LATHAM, NY 12033			LAM, TUAN THIEU	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/707,171

Applicant(s)

BONACCIO ET AL.

Examiner

Tuan T. Lam

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-11 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 4-6 and 12-14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 7-11 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier et al. (USP 6,781,355) in view of Cooper et al. (USP 5,049,841).

Figure 5 of Gauthier et al. shows a structure comprising an IC power distribution circuit (502, 504, 506, 508), a variable/tunable resistor (514 shown in figure 9) connected in series with the circuit, a controller (512) being electrically controlling the tunable resistor to reduce the transient voltage variation (power supply resonance) across the circuit.

The difference between Gauthier et al. and the present invention is that Gauthier et al. does not show the detailed structure of the variable resistor (902) as called for in claims 1, 9 and 17. However, Gauthier et al. suggests that the variable resistor can be a low power consumption variable resistor circuit. Figure 8 of Cooper et al. shows a variable resistor circuit (R28, T7) having low power consumption. The variable resistor circuit comprises a resistor (R28) and a plurality of switches (T7) coupled in parallel with the resistor. Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to use Cooper et al.'s variable resistor circuit in place Gauthier et al.'s damping circuit for the purpose of reducing power consumption.

Art Unit: 2816

Regarding claims 2 and 10, the combination of Gauthier et al. and Cooper et al. is capable of closing the switch at some time after the controller initially opens the electrical switch.

Regarding claims 3, 11 and 20, the combination of Gauthier et al. and Cooper et al. shows a plurality of switches.

Regarding claims 7 and 15, the combination of Gauthier et al. and Cooper et al. shows the electrical switch is a transistor.

Regarding claims 8, 16 and 19, wherein the resistance of the electrical switch, while being closed, is substantially smaller than the resistor (on resistance of the FET is about few ohms), and the resistance of the electrical switch, while being open (open circuit has large resistance), is substantially larger than that of the resistor.

3. Claims 1-3, 7-11 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier et al. (USP 6,781,355) in view of Iwamura et al. (USP 4,860,148).

Figure 5 of Gauthier et al. shows a structure comprising an IC power distribution circuit (502, 504, 506, 508), a variable/tunable resistor (514 shown in figure 9) connected in series with the circuit, a controller (512) being electrically controlling the tunable resistor to reduce the transient voltage variation (power supply resonance) across the circuit.

The difference between Gauthier et al. and the present invention is that Gauthier et al. does not show the detailed structure of the variable resistor (902) as called for in claims 1, 9 and 17. However, Gauthier et al. suggests that the variable resistor can be a low power consumption variable resistor circuit. Figure 2 and 3a-3c of Iwamura et al. shows a variable resistor circuit (R28, T7) having low power consumption. The variable resistor circuit comprises a resistor (R1)

Art Unit: 2816

and a plurality of switches (15 shown in figure 3c) coupled in parallel with the resistor.

Therefore, it would have been obvious to a person skilled in the art at the time the invention was made to use Iwamura et al.'s variable resistor circuit in place Gauthier et al.'s damping circuit for the purpose of reducing power consumption.

Regarding claims 2 and 10, the combination of Gauthier et al. and Iwamura et al. is capable of closing the switch at some time after the controller initially opens the electrical switch.

Regarding claims 3, 11 and 20, the combination of Gauthier et al. and Iwamura et al. shows a plurality of switches (figure 3c).

Regarding claims 7 and 15, the combination of Gauthier et al. and Iwamura et al. shows the electrical switch is a transistor.

Regarding claims 8, 16 and 19, wherein the resistance of the electrical switch, while being closed, is substantially smaller than the resistor (on resistance of the FET is about few ohms), and the resistance of the electrical switch, while being open (open circuit has large resistance), is substantially larger than that of the resistor.

Allowable Subject Matter

4. Claims 4-6 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2816

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan T. Lam whose telephone number is 571-272-1744. The examiner can normally be reached on Monday to Friday (7:30 am to 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY P CALLAHAN can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tuan T. Lam
Primary Examiner
Art Unit 2816

12/14/2004